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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91216601
Party	Defendant Gander Mountain Company
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Date	07/22/2014
Attachments	Academy v. Gander '601 Opposition--Answer.pdf(21755 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

ACADEMY, LTD.,

Opposer,

vs.

GANDER MOUNTAIN COMPANY,

Applicant.

Opposition No.: 91216601

APPLICANT'S ANSWER TO
CONSOLIDATED NOTICE OF
OPPOSITION

ANSWER

Appliant Gander Mountain Company (“Gander Mountain”), for its Answer to the Consolidated Notice of Opposition filed by Opposer Academy, Ltd., (“Academy”) states and alleges as follows.

1. Gander Mountain lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 1 and therefore denies them.
2. Gander Mountain admits that Academy operates retail stores selling sporting goods and apparel and a web commerce site at www.academy.com, but Gander Mountain lacks knowledge or information sufficient to form a belief as to the truth of all the other allegations of Paragraph 2 and therefore denies them.
3. Gander Mountain admits that Academy is listed as the registrant of the identified registration, but Gander Mountain lacks knowledge or information sufficient to form a belief as to the truth of all the other allegations of Paragraph 3 and therefore denies them.

4. Gander Mountain admits that Academy is listed as the registrant of the identified registration, but Gander Mountain lacks knowledge or information sufficient to form a belief as to the truth of all the other allegations of Paragraph 4 and therefore denies them.

5. Gander Mountain admits that Academy is listed as the registrant of the identified registration, but Gander Mountain lacks knowledge or information sufficient to form a belief as to the truth of all the other allegations of Paragraph 5 and therefore denies them.

6. Gander Mountain admits that Academy is listed as the registrant of the identified registration, but Gander Mountain lacks knowledge or information sufficient to form a belief as to the truth of all the other allegations of Paragraph 6 and therefore denies them.

7. Gander Mountain admits that Academy is listed as the registrant of the identified registration, but Gander Mountain lacks knowledge or information sufficient to form a belief as to the truth of all the other allegations of Paragraph 7 and therefore denies them.

8. Gander Mountain admits that Academy is listed as the applicant in the identified pending application, but Gander Mountain lacks knowledge or information sufficient to form a belief as to the truth of all the other allegations of Paragraph 8 and therefore denies them.

9. Gander Mountain lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 9 and therefore denies them.

10. Gander Mountain lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 10 and therefore denies them.

11. Gander Mountain lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 11 and therefore denies them.

12. Gander Mountain lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 12 and therefore denies them.

13. Gander Mountain admits the allegations of Paragraph 13.

14. Gander Mountain admits the allegations of Paragraph 14.

15. Gander Mountain admits the allegations of Paragraph 15.

16. Gander Mountain admits the allegations of Paragraph 16.

17. Gander Mountain admits the allegations of Paragraph 17.

18. Gander Mountain admits the allegations of Paragraph 18.

19. Gander Mountain admits that the Notice refers to the Gander Mountain trademark applications listed in Paragraphs 13 to 18 of the Notice as “Applicant’s Applications.”

20. Gander Mountain lacks knowledge or information sufficient to form a belief as to the truth of the allegations of Paragraph 20 and therefore denies them..

21. Gander Mountain denies the allegations of Paragraph 21.

22. Gander Mountain denies the allegations of Paragraph 22.

23. Gander Mountain denies the allegations of Paragraph 23.

24. Gander Mountain denies the allegations of Paragraph 24.

WHEREFORE, Gander Mountain requests that the Opposition be dismissed with prejudice.

Respectfully submitted,

Date: July 22, 2014

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ATTORNEYS FOR GANDER
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document has been served via first-class mail, postage prepaid, to attorneys for Academy, Ltd., Darin M. Klemchuk, Klemchuk Kubasta LLP, 8150 N Central Expressway, 10th Floor, Dallas, TX 75206, this 22nd day of July, 2014.

/ Mark D. Wagner /
Mark D. Wagner